

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

**UNITED STATES OF AMERICA**

**vs.**

**(1) TIMOTHY BLAND  
(3) LUIS TOVIAS  
(4) VALERIE NICHOLE GARCIA  
(5) PAMELA FELITA BREEDING  
(8) MICHELLE KATHERINE BILSKEY  
(9) TERRY LYNN CLAY**

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**NO: SA:21-CR-00531(1,3,4,5,8,9)-JKP**

**ORDER CONTINUING TRIAL DATE  
AND EXCLUDING TIME UNDER THE SPEEDY TRIAL ACT**

On October 17, 2022 the Court granted the unopposed motion for continuance filed by co-defendant **Valeria Nichole Garcia**, (doc. 247). There being no severance granted in this cause of action, the Court finds that this defendant shall proceed to trial with his/her co-defendant(s).

IT IS THEREFORE ORDERED THAT trial of this case, currently set for **Monday, October 31, 2022**, be and hereby is continued.

The deadline for notifying the court of any **plea agreement** entered into by the parties in this cause is **Thursday, January 26, 2023**. No plea agreement entered into after that date shall be honored by this Court without good cause shown for the delay.

Should a plea agreement be reached and filed in this case and absent written objection filed contemporaneously therewith, please contact the Courtroom Deputy, Magda Muzza at (210) 244-5021 or email Magda\_Muzza@txwd.uscourts.gov., for scheduling no later than the plea agreement deadline.

**Jury selection and trial** are reset for **February 06, 2023 at 09:30 AM** in Courtroom **B** on the Second Floor of the United States

Courthouse, 262 West Nueva Street, San Antonio, Texas. **All pretrial motions, including motions in limine, are due January 24, 2023, responses due January 26, 2023.** No pretrial motions will be accepted by the court after said deadlines, without showing good cause for the delay.

The Court finds that the period between **October 31, 2022**, and **February 06, 2023**, is a reasonable period of necessary delay to allow counsel to negotiate a plea; and/or to review discovery and the record to date, and to prepare for trial. The Court finds that the interest of justice served by taking such action outweighs the best interest of the public and the defendant in a speedy trial, and further finds that such period shall be excluded from the time within which the defendant must be brought to trial under the Speedy Trial Act pursuant to 18, United States Code, Section 3161(h)(7).

### **Pretrial Submissions**

The Court **ORDERS** all parties to serve and file the following information by the close of business **Monday, January 30, 2023**:

- (1) A list of questions the party desires the court to ask prospective jurors.
- (2) A list of stipulated facts.
- (3) An appropriate identification of each exhibit as specified in this rule (except those to be used for impeachment only), separately identifying those that the party expects to offer and those that the party may offer if the need arises.
- (4) The name and, if not previously provided, the address and telephone number of each witness (except those to be used for impeachment only), separately

identifying those whom the party expects to present and those whom the party may call if the need arises.

(5) The name of those witnesses whose testimony is expected to be presented by means of a deposition and designation by reference to page and line of the testimony to be offered (except those to be used for impeachment only) and, if not taken stenographically, a transcript of the pertinent portions of the deposition testimony.

(6) Proposed jury instructions and verdict forms. The parties are **ORDERED** to meet and confer and submit a joint proposed set of jury instructions. Any jury instructions to which both parties do not agree must be submitted separately with appropriate citations to the law supporting those instructions. Joint jury instructions shall be submitted in complete format as they would appear when submitted to the jury. The joint jury instructions shall also be emailed in a Word document to the Courtroom Deputy, Magda Muzza at Magda\_Muzza@txwd.uscourts.gov.

(7) An estimate of the probable length of trial.

### **Objections to Pretrial Submissions**

The Court also **ORDERS** both parties to serve and file the following information by close of business on **Wednesday, February 01, 2023**:

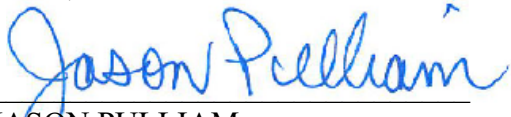
(1) A list disclosing any objections to the use under Rule 32(a) of deposition testimony designated by the other party.

(2) A list disclosing any objection, together with the grounds therefore, that may be made to the admissibility of any exhibits. Objections not so disclosed, other than

objections under Federal Rules of Evidence 402 and 403 shall be deemed waived unless excused by the court for good cause shown.

**IT IS SO ORDERED.**

DATED: San Antonio, Texas, **October 17, 2022.**

  
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JASON PULLIAM  
UNITED STATES DISTRICT JUDGE